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Attorneys for Defendant  
Otto Trucking LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Waymo LLC,

Plaintiff,

v.

Uber Technologies, Inc.; Ottomotto LLC; Otto  
Trucking LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF I. NEEL  
CHATTERJEE IN SUPPORT OF  
DEFENDANT OTTO TRUCKING LLC'S  
OPPOSITION TO WAYMO LLC'S AND  
KEKER, VAN NEST & PETERS LLP'S  
MOTIONS TO QUASH SUBPOENA AND  
MOTION FOR PROTECTIVE ORDER**

Hearing: August 28, 2017 at 1:30 p.m.

Courtroom: F-15<sup>th</sup> Floor

Magistrate Judge: Hon. Jacqueline Scott Corley

Trial: October 10, 2017

Filed/Lodged Concurrently with:

1. Opposition Letter Brief
2. Declaration of Hayes P. Hyde

1 I, I. Neel Chatterjee, declare as follows:

2 1. I am a Member of the law firm of Goodwin Procter, LLP, representing defendant  
3 Otto Trucking LLC (“OT”) in this matter. I am a member in good standing of the State Bar of  
4 California. I make this declaration in support of Otto Trucking LLC’s Opposition to Waymo  
5 LLC’s and Keker, Van Nest & Peters LLP’s Motion to Quash Subpoena and Motion for a  
6 Protective Order. I make this declaration based upon matters within my own personal knowledge  
7 or knowledge gained in the course of my job responsibilities. If called as a witness, I could and  
8 would competently testify to the matters set forth herein.

9 2. On August 20, 2017, I sent an e-mail to Robert Van Nest and Rachael Meny  
10 advising of the Court Order waiving privilege and asking if they would accept service of  
11 subpoenas addressed to Keker and Thomas Gorman. Attached hereto as **Exhibit 1** is a true and  
12 correct copy of my August 20, 2017 e-mail to Mr. Van Nest and Ms. Meny.

13 3. On August 21, 2017, Ms. Meny wrote back and agreed to accept service of the  
14 subpoena via e-mail, reserving its right to object. Attached hereto as **Exhibit 2** is a true and  
15 correct copy of Ms. Meny’s August 21, 2017 e-mail to me.

16  
17 I declare under penalty of perjury under the laws of the United States that the foregoing is  
18 true and correct. Executed this 27th day of August, 2017 in Menlo Park, California.

19  
20 /s/ I. Neel Chatterjee  
21 I. Neel Chatterjee  
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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on August 27, 2017. I further certify that all participants in the case are registered CM/ECF users and that service of the Declaration, including all public and redacted exhibits attached hereto, will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 27th day of August 2017.

/s/ I. Neel Chatterjee  
I. Neel Chatterjee